GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

National Food Security Act, 2013 – Andhra Pradesh Food Security Rules, 2017 – Notification – Orders - Issued.

CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES (CS.I) DEPARTMENT

G.O.MS.No. 8 **Dated: 18-04-2017**

Read the following:

National Food Security Act, 2013 (No.20 of 2013), dated:10.09.2013.

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O R D E R:

Government hereby publish " The Andhra Pradesh Food Security Rules, 2017 ", in exercise of the powers conferred under sub-section (1) of section 40 of the National Food Security Act, 2013 (No.20 of 2013).

2. The appended Notification will be published in English, Telugu and Urdu languages in the Extraordinary issue of Andhra Pradesh Gazette and in English and the chief languages of the District concerned in the Gazette of all the Districts in the State.

3. The Director of Printing, Stationery and Stores Purchase (Printing Wing); Andhra Pradesh, Vijayawada is requested to publish the Notification in the Extraordinary issue of the Andhra Pradesh Gazette. He is also requested to send 50 copies of the Gazette notification to the Government after its publication for record.

4. The Director of Translation, Vijayawada is requested to furnish forthwith the translation of the Notification into the regional languages concerned to the Director of Printing Stationery and Stores Purchase (Printing Wing), Vijayawada to enable them to publish the same in the Andhra Pradesh Gazette and also in the District Gazette under intimation to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR
E.O. PRL. SECRETARY TO GOVERNMENT

To:
The Director of Printing, Stationery and
Stores, Purchase (Printing Wing), Andhra Pradesh, Vijayawada
(for publication of the Notification in an extraordinary issue of Andhra Pradesh Gazette.)

Copy to:

The Commissioner of Civil Supplies, A.P. Vijayawada,
All Collectors (CS) Andhra Pradesh / All District Supply Officers.
The VC & Managing Director, Andhra Pradesh State Civil Supplies
Corporation Ltd., Hyderabad.
The General Manager (AP Region), FCI, Nampally, Hyderabad.
The Principal Secretary, WD &CW Department
The Principal Secretary, Education Department
The Commissioner, School Education Department
The Director, WD &CW Department, Vijayawada.
The Director of Translation,Vijayawada.
The P.S. to Minister for Food and Civil Supplies.
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER

N O T I F I C A T I O N

In exercise of the powers conferred by sub-section (1) of Section 40 of the National Food Security Act, 2013 (No: 20 of 2013), the Andhra Pradesh Government hereby notify the **"**Andhra Pradesh Food Security Rules, 2017 **"** as indicated in the Annexure, which is appended to this G.O..

ANNEXURE

ANDHRA PRADESH FOOD SECURITY RULES, 2017

1. Short title and Commencement:

These rules may be called the Andhra Pradesh Food Security Rules, 2017.

2. Definitions

(1) In these rules, unless the context otherwise requires –

(a) “Act means the National Food Security Act, 2013 [No. 20 of 2013];

(b) “Commission” means State Food Commission constituted for the State of Andhra Pradesh under sub-rule (1) of rule 7 read with section 16 of the Act;

(c) “Commissioner” means the Commissioner of Civil Supplies of the Government of Andhra Pradesh;

(d) “entitled person” means a person belonging to eligible households identified as such under the Act by the State Government and in possession of a valid ration card and includes beneficiaries identified for provision of Supplementary Nutrition;

(e) “Household” means a nuclear family comprising mother, father and their children. Dependent parent, single women which includes widow, abandoned, separated, divorced or unmarried woman over age of 35 years with or without their dependent children, disabled with or without their dependent children, even if they have a common roof or hearth will be treated as a separate household for the purpose of this Act and Rules;

(f) “Social Audit facilitators” means the Resource Persons identified and trained by the Society for Social Audit, Accountability and Transparency, SSAAT-Andhra Pradesh or any agency identified for the purpose who will facilitate the Social Audit;

(g) "Social Audit Gram Sabha" refers to the periodic assemblies of the Gram Sabha for Social Audit. No Social Audit Gram Sabha shall restrict participation of its members who has an opinion to offer or make a contribution in any way as long as they adhere to the principles of Social Audit;

(h) “Chronic disease” means which are long-lasting condition that can be controlled but not cured and leading to cause death and permanent disability i.e. coronary heart disease, stroke, breast, cervical and lung cancer; HIV/AIDS.

2. "Words" and "Expressions" used but not defined in this rules shall have the same meaning assigned to them in the Act and rules thereof and in the orders issued under the Essential Commodities Act 1955.

3. Identification of eligible households:

(1) The state government shall, within a period not exceeding three months from the publication of notification of the rules, identify, in accordance with the exclusion and priority criteria specified in sub rule (2) :-

(a) the households which are to be provided monthly ration of food grains under the Antyodaya Anna Yojana(AAY) as a right, in accordance with the guidelines applicable to the said scheme;

(b) the priority households in which all the members of the household are to be provided monthly ration of food grains as per Section 3(1) of the Act, under Targeted Public Distribution System(TPDS) as a right; and

(c) the individuals to be provided with supplementary nutrition and cash entitlements as per sections 4,5 and 6 of the Act.

(2)(a) The government shall accord priority to the following category of households in identifying the eligible households under Antyodaya Anna Yojana subject to the limit approved by the Government of India , -

(i) All Particularly Vulnerable Tribal/Nomadic and De-notified Tribal households
(ii) Widows or single women or single men with no family or societal support or assured means of subsistence
(iii) Households of women victims of trafficking, rape and violence against women under the Nirbhaya Act.
(iv) Households of victims of atrocities under SC, ST (Prevention of Atrocities) Act, 1989
(v) Terminally ill persons or disabled persons or persons aged 60 years or more or
(vi) Urban and Rural Homeless destitutes and beggars.
(vii) Leprosy Affected persons, HIV Positive patients / families , families of deceased due to starvation and families threatened by Starvation Deaths,
(viii) Persons freed from bonded labour.

2 (b) Landless agriculture labourers and other unorganized workers as identified under Unorganised Workers Social Security Act, 2008

2 (c) The government shall apply the following exclusion criteria in identifying the Priority Households under Targeted Public Distribution System.

<u>In Rural area :</u>

(i) Households having land more than 10 Acres shall be excluded and in Ananthapur district, this limit will be up to 20.00 Acres

(ii) Households having any member as government employee, not being a contract employee of the government, shall be excluded

(iii) Households having any member as Income Tax assessee

(iv) Households having own motorized four wheeler but not used as taxi

(v) Household having own or rented house with monthly electricity consumption of more than 200 units of residential category

In Urban area:

(i) Household having own house of more than 750 Sq. Ft. in Urban Areas (other than Government housing scheme)

(ii) Households having any member as Income Tax assessee

(iii) Households having own motorized four wheeler but not used as taxi

(iv) Household having own or rented house with monthly electricity consumption of more than 200 units of residential category

(v) Households having any member as government employee, not being a contract employee of the government, shall be excluded

2(d) The government after excluding the category of households mentioned above in 3(2)(c) and the households identified under 3(2)(a & b), shall pro-actively ensure that the following categories of households in each village or ward are not left out from the list of priority households under Targeted Public Distribution System.

In Rural Areas:

(i) PVTG Households

(ii) Nomadic and de-notified tribal groups

(iii) Destitute Women / Widows/Women headed households/Women subjected to Trafficking and *Joginis*

(iv) Households with persons with disability possessing SADAREM certificates of disability

(v) Households with Sweeper/sanitation worker/Rehabilitated Safai Karamchari

(vi) Households of Active job card holders under MGNREGS.

(vii) Households of Landless agriculture workers and other unorganized workers as identified under unorganized workers social security Act, 2008.

(viii) Households of beneficiaries of social security pensions

(ix) Homeless persons, particularly women, old age persons.

(x) Transgender persons

(xi) People suffering with T.B. and other chronic diseases which are defined under sub-rule 1(h) of Rule 2 of these rules.

(xii) Homeless persons, particularly destitute women, old age persons and children

In Urban Areas:

(i) Nomadic and de-notified tribal groups

(ii) Destitute Women / Widows/Women headed households/Women subjected to Trafficking and *Joginis*

(iii) Households with persons with disability possessing SADAREM certificates of disability

(iv) Beggars/Rag Pickers

(v) Households with Sweeper/sanitation worker/Rehabilitated Safai Karamchari

(vi) Families residing in Notified Slums

(vii) Households of all kinds of unorganized workers as identified under unorganized workers social security Act, 2008.

(viii) Households of beneficiaries of social security pensions

(ix) Homeless persons, particularly destitute women, old age persons and children

(x) Transgender persons

(xi) People suffering with T.B. and other chronic diseases which are defined under sub-rule 1(h) of Rule 2 of these rules.

2(e) The government shall widely publicise and seek enrolment of the eligible individuals of every village and ward in their nearest Anganwadi centres for the entitlement of supplementary nutrition to pregnant women and lactating mothers and the children between the age group of 6 months to 6 years.

(3) Government shall issue necessary circular instructions/guidelines for processes required to be followed and documentary evidences required to be submitted for ascertaining the eligibility, within a period of 30 days from the publication of notification of the rules and from time to time as required.

(4) The State Government may, at such intervals or any other time, it may deem fit, re-identify the eligible households and individuals

(5) The state government may, if it deems fit, by notification, amend the criteria from time to time and require fresh survey conducted for the identification of eligible households or take a decision to continue the existing criteria in respect of Ration Cards till such time the issue of fresh guidelines is considered necessary.

(6) The state government shall publish and place the draft list of identified eligible households and excluded households and identified eligible individuals before Gram Sabha in case of rural areas and in Ward Sabhas in case of urban areas calling for objections, which shall be enquired into and disposed within 15 days of publication of the list and before the final list is prepared.

(7) On completion of each identification process, the State Government shall place in public domain, the lists of names of households identified for inclusion in priority or Antyodaya Anna Yojana category households, list of individuals identified for entitlements in the form of cash and supplementary nutrition through a website exclusively designed for the purpose and display the list at the Gram Panchayat/ Ward Office, Anganwadi centre and Ration shop prominently.

4. Reforms in Targeted Public Distribution System:

(1) For efficient operations of the Targeted Public Distribution System :

(a) The A.P. State Civil Supplies Corporation Ltd or the agency authorized by the State Government shall create and maintain scientific storage facilities at State, District, and Mandal levels to accommodate food grains required under the TPDS and other welfare schemes.

(b) Establish institutionalized licensing system to run fair price shops in accordance with the PDS (Control) Order 2015 and National Food Security Act, 2013 through Public institutions or local bodies, Self help groups, Cooperatives.

(c) Keeping in view the public interest, the State Government may replace all or any of the fair price shop dealers/ nominated retailer/hawker and entrust the

distribution through a shop set up by the State Government, a State Government undertaking or a Corporation wholly owned by the State Government or a Co-operative Society for the benefit of persons belonging to Scheduled Castes or Scheduled Tribes, under a Government Scheme or local bodies and women Self help groups.

(d) To ensure transparency and accountability of distribution of essential commodities to the targeted beneficiaries, available technologies have to be utilized to achieve end-to-end computerization of PDS.

5. Internal Grievance redressal mechanism as per Section 14 of the Act:

(1) Any person can record/submit his/her grievance regarding any aspect of implementation of the Act or upon violation or denial of his/her right in any of the following manner,

(a) Submission of grievance in person or through post in writing and obtaining acknowledgement to that effect

(b) Submission of grievance through web based format which generates a unique complaint number for each complaint

(c) Submission of grievance through mobile or landline either by SMS or voice call or voice mail which generates a unique complaint number for each complaint

(2) The entitlements/rights of various persons provided under the Act, the responsible authority/department for the delivery of that particular entitlement and the supervisory/nodal officer with whom the grievance can be filed on the failure of delivery of the entitlement or violation of that particular right and the appellate authority are as give under :-

S.No	**Entitlement**	**Department/Authority Responsible for providing the entitlement**	**Nodal/Appellate authority for addressing the grievance related to the entitlement**
(1)	(2)	(3)	(4)
1	Upon satisfying the eligibility criteria, right to get the name of the individual/household included in the eligibility list and getting a ration card	Revenue/Tahsildar	DGRO/State Food Commission as appellate authority
2	Right of the eldest women in the household to be recognised as head of the household and the card to be issued on her name with names of other family members included	Revenue/Tahsildar	DGRO/ State Food Commission as appellate authority
3	Right to get monthly ration of food grains as provided in the Act and in addition, any other commodities as included by any scheme notified by the Central or State government under the Act, at the nearest ration shop of place of residence during any of the working hours and days notified	FP shop dealer	Tahsildar/ DGRO as appellate authority

4	Right to enroll themselves or identified and enrolled by the AWW in nearest Angnanwadi centers as children under age group of 06 months to 6years as well as Pregnant and Lactating women.	Department of Women and Child Welfare/Anganwadi worker(AWW)	CDPO, ICDS/DGRO as appellate authority
5	Take Home ration/ mid day meal with a 600 kcal of energy and 18-20grms of proteins per day as per guidelines of ICDS/state government rules as a right for Pregnant women and lactating mother who are enrolled in Anganwadi.	Department of Women and Child Welfare/Anganwadi worker(AWW)	CDPO, ICDS/DGRO as appellate authority
6	Take Home ration with a 500 kcal of energy and 12-15grms of proteins per day as per guidelines of ICDS/state government rules as a right who are enrolled in Anganwadi.	Department of Women and Child Welfare/Anganwadi worker(AWW)	CDPO, ICDS/DGRO as appellate authority
7	Right to get hot cooked mid-day meals, free of charge, served at school every day, except on school holidays for children studying in respective government and government aided schools between the age group of 6 to 14 years	Headmaster of the school	Mandal Education Officer/ DGRO as appellate authority
8	Morning snack and Hot cooked meal with a 500 kcal of energy and 12-15grms of proteins per day as per guidelines of ICDS/State Government rules as a right who are enrolled in Anganwadi.	Department of Women and Child Welfare/Anganwadi worker(AWW)	CDPO, ICDS/DGRO as appellate authority
9	In Addition to provided at Sl.No.6 and 8 above, the 300 calories of energy and 8-10 grams of protein are provided as a take home ration/mid day meal as per guidelines of ICDS/state Government rules.	Department of Women and Child Welfare/Anganwadi worker(AWW)	CDPO, ICDS/DGRO as appellate authority
10	Maternity benefit of not less than rupees six thousand, in such installments as may be prescribed by the Central Government.	Department of Women and Child Welfare/Anganwadi worker(AWW)	CDPO, ICDS/DGRO as appellate authority
11	Right of entitled person to the payment of food security allowance in every case where entitled quantity of food grains has not been supplied due to non-availability of food grains at the fair price shop or for any unforeseen reasons, within the end of the third week of the	Revenue Department/ Tahsildar	DGRO/ State Food Commission as appellate authority

	month following the month in which the non-supply occurred.		

(3) The applicant may file/submit the grievance petition to the above nodal officers directly or through any *Mee-seva* centres or exclusive website developed for the purpose of the Act or common ***Mee-Kosam*** website or common complaint centre of ***Mee-Kosam*** of I.T. & Communications Department or through the toll-free number/call centre specifically designated for the purpose.

(4) At all the above points of receiver of grievance, a register(manual or electronic) shall be maintained with the details and the grievance shall be forwarded to the appropriate nodal officer/authority as provided in the sub-rule (2). The grievance not disposed within a pre-set time frame will automatically escalate to the next level for appropriate action.

(5) There shall be no fees for submission of application for redressal of grievance.

(6) Any grievance shall be disposed of by the concerned authority within 15 days of receipt of the grievance, after providing an opportunity of hearing, if required, to the complainant. The decision on the grievance shall be communicated immediately but not later than 7 days of disposal of grievance.

6. District Grievance Redressal Officer:

(1) Joint Collector-II and Additional District Magistrate of the District is designated as the District Grievance Redressal Officer (DGRO) for the purposes of section 15 of the Act who are not connected with the entitlement s of the Act.

(2) The State Government shall utilize the existing infrastructure and human resources from the Civil Supplies / Revenue departments for the efficient performance of the District Grievance Redressal Officer.

(2)(a) Separate orders will be issued by the Government regarding appointment of District Grievance Redressal Officer and office staff for the office of the District Grievance Redressal Officer and on their pay and allowances.

(3) The DGRO shall hear the complaints regarding non-distribution of entitled food grains or meals or other entitlements or payment of food security allowance under the Act, and matters relating thereto and take necessary action for their redressal.

(4) Any person who is not satisfied with the action of the nodal officer regarding disposal of the grievance related to the entitlements under the Act, may file his / her grievance to the DGRO as the final appellate authority at district level.

(5) The Joint Collector - II shall exercise following powers as DGRO, within the District,

(a) Receipt of grievances from the card holders, individual entitlement holders as per the provisions of the Act as well as general public and shall take up hearing directly;

(b) Order preliminary enquiry and hearing by the Tahsildar or RDO as the case may be on the reported grievance and obtain report from them within a specified time frame for further action;

(c) Conduct of periodic review meetings of all the designated nodal officers in the District to review and strengthen the grievance redressal systems and processes and obtain necessary reports from them;

(d) Ensure proper conduct of Social audit process in the district and deputing necessary mandal and district officials for the purpose of Social audit meetings at village and mandal level;

(e) nominate the nodal officer on his/her behalf in special circumstances to present cases before State Food Commission so as to facilitate the redressal of grievance within the stipulated time;

(f) District Grievance Redressal Officer shall have all the powers of a Civil court while trying a suit under the code of Civil Procedure, 1908, and in particular, in respect of the following matters; namely, -

(i) Summoning and enforcing the attendance of any person and examining him on oath;
(ii) Discovery and production of any document;
(iii) Receiving evidence on affidavits;
(iv)Requisitioning any public record or copy thereof from any court or office; and
(v) Issuing commissions for the examination of witnesses or documents.

(g) DGRO shall have power to give directions as specified in sub-rule (5) to the appropriate authorities for enforcing the entitlements under the Act;

(6) District Grievance Redressal officer shall conduct enquiry;

(a) if he/she finds complaints to carry substance, may give such directions and relief as enumerated for compliance with the entitlements granted under the Act;

(b) if he finds complaints does not have any substance discharge the notice.

(7) The process shall be followed by the DGRO for the enquiry, -

(a) Verify whether there is prima-facie substance in the complaint to proceed in the matter;
(b) If the officer is satisfied, that there is prima-facie ground to proceed in the matter, he/she shall issue a notice to all parties in the case fixing date, time and place for the hearing;
(c) On the date fixed for hearing he/she shall hear the parties and take such evidence as may be given by them; there shall not be adjournment without valid reason;
(d) If, the complainant or his authorized representative is absent on the date fixed for hearing, the complaint may be decided on its merits;
(e) If, the defending party is absent on the date fixed for hearing, the officer may proceed to enquire the matter *exparte* and decide accordingly;
(f) He/ She may also, at the request of the parties or *suo-moto* adjourn the proceedings to some other date with or without cost;
(g) After the enquiry, the District Grievance Redressal Officer shall give his /her judgment, which shall clearly state in writing the reasons for his judgment;

(8) The directions and relief that can be provided by the District Grievance Redressal Officer, under sub-rule (4) shall be binding as follows;

(a) provision of the entitlement, which is either food grains or meals or any other entitlement, with immediate effect, not exceeding seven calendar days;
(b) payment of food security allowance by the end of the third week of the month following the month in which the non-supply occurred;
(c) supervision by an appropriate person / representative, of such provision or payment, as the case may be, under clause (a) and (b) above;
(d) any other appropriate direction:

(9) DGRO shall ensure the disposal of the grievance within 15 days, but in any case within not more than 30 calendar days from the date of receipt of the complaint at the office of DGRO.

(10) In order to ensure the timely disposal of the complaints, the state government shall make it compulsory for the DGRO to submit monthly reports on the status of redressal of grievance to the District collector as well as to the office of the State Food Commission along with the report of delayed cases with appropriate explanation.

(11) The DGRO shall cause to maintain the database in an easy to retrieve mode with all the details of the complaints received, hearing dates, attendance and judgements/decisions delivered on them. DGRO shall review the status of action taken on the decisions and the nature and spread of grievances being reported within the district periodically with the nodal officers.

(12) The DGRO shall work under the guidance of the District collector and as an important link between the district administration and State Food Commission. He/ She is the nodal authority to present the case before State Food Commission.

(13) The complainant or the officer or authority against whom, any order has been passed by the District Grievance Redressal Officer, if registers their disagreement or decision to appeal on the order before DGRO, their application/complaints shall be automatically forwarded to the State Food Commission within a period of 7 days from the date of the order.

(14) The District Grievance Redressal officer shall receive the complaints/grievances under the Act on all working days from 10:30 a.m to 5:00 p.m. The Collector of the district may nominate an appropriate officers /employee to receive complaints/ Grievances on his/her behalf.

7. Placing records in the public domain for inspection and greater transparency:

(1) The State Government shall, on or before the date of commencement of implementation of the Act in the State, prescribe the documents and records to be displayed in public domain as per section 27 of the Act and as per section 4 of the Right to Information Act, 2005 and may also revise the list, from time to time.

(2) Without prejudice to the general provisions of sub-rule (1) the following documents shall be considered related to entitlements under the Act for placing in the public domain through the website exclusively designed for monitoring the implementation of the provisions of the Act:-

(a) Guidelines notified by the State Government for identification of eligible Priority households as well as eligibility criteria for Anthyodaya Anna Yojana

(b) Habitation wise, Fair price shop/dealer wise List of beneficiaries under Antyodaya Anna Yojana households and eligible Priority households for distribution under Targeted Public Distribution System;

(c) School wise details of number of students availing mid-day meals, quantity of food grains and items being provided under mid-day meals, inspection reports etc.;

(d) The entitlements of food grains, including quantity and price, of beneficiaries under (b) above as well as status of the uptake of their entitlements;

(e) Details of the Fair Price Shops in the State, districts block etc.;

(f) Monthly Fair Price shop-wise, School-wise, Anganwadi center-wise food grains allocation orders;

(g) Habitation-wise and Anganwadi centre-wise list of individual beneficiaries who are receiving supplementary nutrition;

(h) Policy directives issued by the State Government or the Commissioner of Civil Supplies, Andhra Pradesh to the Collectors, District Grievance Redressal Officers and other officers of the State Government for effective and efficient implementation of the Act;

(i) Yearly or other periodical reports, studies and evaluation reports related to the implementation of the Act in the state;

(j) Social Audit Calendar, findings of the Social Audit along with action taken reports; and;

(k) Contact details of all DGROs, Vigilance Committees, department officials and Food commission members.

(3)(a) All documents and records identified under sub- rule (1) and (2) shall be open for public access on the web portal maintained for this purpose.

(b) All documents and records identified under sub- rule (1) and (2) shall be open for public inspection, free of charge, and shall be kept at places mentioned in column (3) of Schedule-A, by the authorities indicated in column (4) of the said schedule.

(c) Any person may, after ensuring receipt of notice of 3 days, to the concerned local authority, inspect such records, free of charge

(d) Any person may request copies of the records after paying minimum copying charges as being charged for providing information under Right to Information Act, 2005

(e) Copies requested under sub-rule 3(d) shall be given within 15 days of receipt of application along with such fee.

(4) End to End Computerisation of all aspects related to implementation of the Act shall be completed within 12 months from the date of notification of the Rules. The state Government shall issue necessary guidelines from time to time for operationalisation of the computerisation process.

8. State Food Commission:

(1) The State shall, within a period of six months from the date of publication of notification of the Rules, constitute a State Food commission in accordance with the provisions of section 16(2) and (3) of the Act for the purpose of monitoring and review of implementation of the Act. Scheduled B annexed to the Rules. The State Commission shall undertake the functions, as provided in the section 16(6) of the Act.

(2) The Chairperson and Members shall be appointed by the Government .

(3) An Officer working in Civil Supplies department not below the rank of the Joint Secretary shall be appointed by the State Government as Member Secretary as provided in Section 16 of the Act

(4) (a) The process of selection shall be initiated by the State Government within three months of the coming into force of these rules in the first instance and three months prior to the completion of tenure of the existing Chairperson or Member, as the case may be and shall be concluded within three months.

(b) Principal Secretary, Food and Consumer affairs in consultation with the Secretaries of Women and child Welfare, Social Welfare and Tribal welfare departments prepare a list of probable members and submit to the government for consideration and appointment.
Provided that, if the Government is not satisfied by the list of names submitted to it, it may ask the Principle Secretary not more than once, to re-examine and come up with a revised list. Government may also add/modify names in the list, subject to the qualifications and criteria laid out in the Act.

(c) The salaries and allowances payable to and other terms and conditions of service of the Chairperson shall be the same as that of the State Chief Information Commissioner of Andhra Pradesh State Information Commission and the Members shall be the same as that of a State Information Commissioners of the Andhra Pradesh State Information Commission.

Provided that if the Chairperson or a Member, at the time of his/her appointment is, in receipt of a pension, other than a disability or wound pension, in respect of any previous service under the Government of India or under the Government of a State, his/her salary in respect of the service as the Chairperson or Member shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity;

Provided further that where the Chairperson or Member if, at the time of his appointment is, in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Act or State Act or a Government company owner or controlled by the Central Government or the State Government, his/her salary in respect of the service as the Chairperson or Member shall be reduced by the amount of pension equivalent to the retirement benefits;

Provided also that the salaries, allowances and other conditions of service of the Chairperson or Member shall not be varied to their disadvantage after their appointment.

(5)(a) The Government shall provide the commission with the necessary budget and infrastructure including administrative and technical staff to effectively perform the functions as provided in Section 16(6) of the Act.

(5)(b) The Commission shall be provided with not less than following administrative and technical staff for proper functioning of the State commission

(i) One officer of the cadre of Deputy Director (CS) / Dy.Collector/Assistant Secretary

(ii) One Administrative Officer

(iii) One Accounts officer

(iv) One Accountant

(v) Two MIS specialists

(vi) Two Research officers or Subject matter specialists on Food and nutrition, Rural Development, Public Distribution systems etc, on outsourcing basis

(vii) Necessary support staff like drivers, DTP operators and other office staff as notified by the government from time to time.

(5)(c) Separate orders will be issued by the Government in consultation with the State Food Commission regarding the exact number of staff, their salaries and allowances and conditions of services within three months from the date of constitution of the Commission.

(6)(a) The Commission shall meet formally at least once in a month in its head quarters or at its offices in other places or at such other places decided as per the need and importance of implementation of the Act in those places.

(b) The quorum for the meeting of the Commission shall be four members.

Provided that for a meeting of the Commission to review any previous decision taken by the Commission or for consideration of any issue which could not be decided on account of equality of votes in favour of and against

the resolution proposed, the quorum for the meeting shall be all members being personally present

(c) The Chairperson of the Commission may instruct the Member-Secretary to call a meeting of the commission to be held at such time and at such place as the Chairperson may direct. In addition, any member of the Commission may request for a meeting of the Commission at any time by sending a notice in writing to the other members and with a copy to the Member Secretary. The notice of all meetings shall be given to the members in writing.

(d) The Commission shall be entitled to decide urgent matters by circulation of the paper to all the members.

(e) In case of a difference of opinion among the members of the Commission, the opinion of the majority shall prevail and the opinion of the commission shall be expressed in terms of the views of the majority. Each member of the Commission shall have one vote only. The Chairman shall have no casting or second vote.

(f) All decisions, directions and orders of the Commission shall be in writing and shall be supported by reasons. The decisions, directions and orders of the Commission shall be available for inspection by any person. Copies of the same shall be made available in the website of the Commission and as in a manner as the Commission may specify.

(g) When the Chairperson of the Commission is unable to discharge the functions owing to absence, illness or any other cause, the next senior member of the Commission shall discharge the functions of the Chairperson, until the day on which the Chairperson assumes the charge of his functions.

(h) The Member Secretary shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions, as delegated by the Commission.

(7) The Chairperson or any Member may, by notice in writing under his/her hand addressed to the Governor of the State, resign from the office.

(8) The State government shall ensure that all the vacancies are filled and the commission is constituted fully with all the seven members as provided in section 16(2) of the Act, i.e One Chairperson, One member secretary and five other members. On account of any vacancy arising out of either resignation or termination or retirement of any member, the government shall fill the vacancy within a period of not more than three months from the date of arising of the vacancy, ensuring due representation of women, SC and ST members not less than stipulated in the Act and one B.C. member.

(9) (a) The Head quarters of the Commission shall be at such place, as the State Government may, by notification in the Official Gazette, specify and the Commission may, with the previous sanction of the State Government, establish offices at other places in the State

(10)The salaries and other allowances payable to the members and the administrative expenses, including salaries, allowances and pensions payable to or in respect of the officers and other employees of the Commission, shall be charged to the Consolidated fund of the State.

(11) The commission shall have the following powers, in addition to the powers provided in section 20 of the Act, for performing its functions

(a) Subject to the provisions of the Act and the rules thereunder, the Commision shall have the power to lay down its own procedure

(b) To hear appeal over the decisions of the District Greivance Redressal Officers. The appeal shall lie within 30 days from the date on which the

decision should have been made by or was actually received from the office of DGRO.

(c) While making a decision on the appeal or the complaint, the State Food Commission has the power to require the DGRO or any officer responsible for providing any entitlement under the Act to comply with the Provisions of the Food Security Act –

(i) Issue of ration cards or eligibility cards upon satisfying the eligibility criteria

(ii) Right to receive food grains at subsidised prices by persons belonging to eligible households under TPDS or ANTYODAYA ANNA YOJANA

(iii) Nutritional support to pregnant women and lactating mothers

(iv) Nutritional support to Children

(v) Prevention and management of Child malnutrition

(vi) Implementation of various schemes for realisation of entitlements under the Act

(vii) Payment of Food Security Allowance

(d) To summon DGRO or any other official involved in the implementation of the Act, against which a grievance/complaint is received or whose presence is felt necessary for disposal of any matter before the commission

(e) To direct any official to act in pursuance of objectives of the Act or to perform any functions necessitated to implement the provisions of the Act

(f) To decide on the appeals and complaints received and direct the appropriate authority to act accordingly

(g) To award penalties as provided in the Rules for default or breach of provisions of the Act as decided by the Commission.

(12) All orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by it on its behalf.

(13) Any complainant may approach State Food Commission by him/her self directly, in matters relating to distribution of entitled food grains or meals or other cash entitlements or Food Security Allowance as per the Act, in case the complaint is not redressed by the orders passed by the District Grievance Redressal Officer.

9. Vigilance Committees:

(1) The state government shall reconstitute presently functioning Food Advisory committees at Ration shop, ward/village, municipality/Corporation/mandal, district and state levels into Vigilance committees as per G.O.Ms. No.47 dated 26.08.2009 and G.O.Ms. No. 93 dated 13.07.2005 as amended by G.O.Ms.No.8 dated 24.01.2013 of Consumer Affairs and Food and Civil Supplies (CS–I) and as per the amended orders from time to time giving due representation to the Scheduled Castes, the Scheduled Tribes, Women and destitute persons or persons with disability among non-official members as per the provisions of section 29(1) of the Act.

(2) The nomenclature of the Food Advisory Committees shall be changed as "Vigilance Committees"

(3) Vigilance Committees shall perform, in addition to the functions assigned to them in accordance with the Public Distribution Systems (Control) Order 2001, made

under the Essential Commodities Act, 1955, and as amended from time to time, following functions as ~~are~~ prescribed under Section 29(2) of the Act, namely:-

(a) regularly supervise the implementation of all schemes under this Act;

(b) inform the District Grievance Redressal Officer, in writing, of any violation of the provisions of this Act and;

(c) inform the District Grievance Redressal Officer, in writing, of any malpractice or misappropriation of funds found by it

(4) The Vigilance Committees up to the District level shall meet at least once in every month on a fixed day notified by the District Collector and the proceedings of the meetings shall be recorded and be made available in the public domain as well as submit to the DGRO regularly. The monthly reports shall also be sent to the Tahsildar, RDO/ Sub Collectors, Joint Collector, Collector, Commissioner of Civil Supplies and also to the Child Development Project Officer, Project Director and Commissioner of Women Development & Child Welfare, as the case may be.

(5) The State vigilance Committee shall meet at least once in a quarter or as often as necessary and the proceedings of the meetings of the State Vigilance Committee shall be made available in the public domain as well as to the State Food Commission for necessary action by the appropriate authority.

(6) The Vigilance Committees may also, in cases where it finds a matter to be of utmost importance , send special report to the authority mentioned in sub- rule (5) above and such authority may take such report as it may deem fit.

(7)The local bodies at appropriate level, i.e Panchayat, Mandal Parishad and Zilla Parishad, Municipal council, Corporation etc., shall review the functioning of Vigilance committees and provide necessary directions for their effective functioning

(8) The Government shall institute yearly awards for the best functioning Vigilance committees at each level in each district up to mandal and municipality/Corporation level and for the best functioning district level Vigilance committee at state level. The awards shall be given away yearly on account of Consumer Rights day.

10. Social Audit

(1) Social Audit Facilitation

(a) The Department of Food and Civil Supplies shall enter into a MoU with the Society for Social Audit, Accountability and Transparency – Andhra Pradesh or any other agency and shall be responsible for coordinating the social audit process in the State. The agency identified will develop Guidelines, Rules and Manuals for Social Audits, bring on board all stakeholders, develop resource material and take up training of resource persons and village social auditors. The agency identified for the purpose will function independently and will not be involved in the implementation of National Food Security Act or any other Government scheme.

(b) Social audit facilitators may be identified and drawn from the community.

(c) The budget for conducting social audit will be met from the administrative expenses of the NFSA.

(d) DGRO of each district, in consultation with the Social Audit agency shall frame an annual calendar for social auditing and shall announce the dates of social audit at least thirty days in advance.

(e) The implementing agency will not participate in the actual social audit process. However, it shall be the responsibility of the Nodal Officer to ensure that all the required information in the requisite formats are provided, to the Social Audit Facilitators and Social Audit Gram Sabha at least 7 days in advance of the scheduled date of meeting of the Social Audit Gram Sabha.

(f) ‘Social audit facilitators’ will facilitate social audit in the following manner:

(i) From among the entitled persons under the Food Security Act, Village Social Auditors(VSA) will be identified and trained.

(ii) The VSAs will be equipped with the records to take up the necessary verification

(iii) The VSAs will be allotted villages which shall not be their native villages and the village level social audit process will be supervised and ensured as detailed in sub rule (3)

(2) Social Audit Gram Sabha

(a) Social Audit Gram Sabha will provide an opportunity to review compliance with ongoing requirements of transparency and accountability. It will serve as an institutional mechanism at panchayat level for conduct of a detailed public audit of all schemes and programmes that fall under the purview of the National Food Security Act.

(b) In addition to the Social Audit Gram Sabha, a Social Audit Public Hearing at the Mandal level shall be conducted where all the Gram Sabha Reports and Action Taken Reports of all villages in a mandal shall be read out before the officials and the beneficiaries and unresolved Gram Sabha matters, if any, taken up for disposal. This will also create a sense of transparency and accountability amongst the implementation machinery at various levels

(c) The DGRO shall nominate a district level official to attend the Social Audit Public meeting at mandal level. This officer shall be responsible for deciding the action to be taken on the issues identified through the social audit process. He/she shall also make sure immediate redress of grievances during the course of meeting and ensuring that the public hearing takes place in true democratic spirit in an atmosphere where everyone can speak and testify without fear. This officer will be responsible for filing a report with the DGRO as per a prescribed format.

(3) Social audit process at village level

(a) Beneficiaries who have received an entitlement in cash or kind (food grains and other commodities, meals, cash entitlement, food security allowance) as provided in sections 3,4,5 and 6 of National Food Security Act will be contacted / verified to check:

(i) If he/she has received the entitlement in full or not ;

(ii) Whether they have any grievances related to the delivery of the entitlement in cash or kind and the quality of the grains or meals received

(iii) In case of any grievance or deviation, the statement of such entitled person shall be recorded in public and signed in their presence. An investigation/enquiry shall be done to establish the persons responsible for the grievance/deviation and the beneficiaries of such grievance/deviation along with due quantification.

(b) Recording of the written statements of the beneficiaries on any issue as well as filling of the Social Audit formats and writing reports will be done during social audit.

(c) (i) Once the social audit is completed, the findings of the social audit will be shared in a consultative process with the beneficiaries in a specially convened Gram Sabha.

(ii) This Sabha will provide a platform to all villagers to seek and obtain further information and responses from the Social Audit Facilitators, public representatives and officials regarding the implementation of the National Food Security Act and to make appropriate recommendations for action on the identified issues.

(d) The DGRO shall nominate a mandal level official to attend the Social Audit Gram Sabha meeting. This officer shall be responsible for deciding the action to be taken on the issues identified through the social audit process. He/she shall also make sure immediate redress of grievances during the course of meeting and ensuring that the Gram Sabha takes place in true democratic spirit in an atmosphere where everyone can speak and testify without fear. This officer will be responsible for filing a report with the District Collector as per a prescribed format.

(e) The Social Audit Report consisting of the minutes of the Social Audit Gram Sabha, the resolution(s) passed, written and oral remarks, observations of the Social Audit Facilitators, and any other submissions made, shall be forwarded to the DGRO, concerned implementing Department(s)/Agencies and SSAAT–AP by the Social Audit Facilitators within one week of the Gram Sabha and 3 days from the Mandal Hearing for necessary action.

(f) The concerned Department/Authority shall take appropriate follow-up action by proceeding against the persons found guilty in the Gram Sabhas and shall complete disciplinary action if any with prescribed manner. Apart from this, other complaints if any shall be resolved within 7 days of receiving the Social Audit Report.

(g) In case of major instances of defalcation/misappropriation of grains or funds and sub-standard services, the concerned controlling authority shall initiate requisite and recovery proceedings against the concerned person/authority, apart from taking disciplinary action.

(4) Post Social Audit Process:

(a) The social audit agency will periodically submit the findings of the social audit in prescribed formats to the State Food Commission, which are also hosted in the

public domain through the official website developed specifically for the purpose of the Act.

(b) State food commission will monitor and follow up on the action taken by the concerned officials on issues identified in the Social Audit.

(c) The action taken report relating to the previous Social Audit shall be read out at the beginning of the meeting of each Social Audit Gram Sabha. All Action Taken Reports shall be filed by the concerned authority within in a month of convening of the Social Audit to the agency.

(5) Role of Administration for Independent Social Audit Process

(a) The Social Audit will be a process independent of the implementing agency and the administrative machinery shall provide requisite information.

(b) DGRO shall notify nodal officers in every mandal who shall ensure that records are provided to the social audit facilitators before starting the social audit process.

(c) On completion of the social audit process at the village level, effective follow up action is to be taken consisting of:

(i) Ensuring that responsible officers attend the Social Audit Public Meetings
(ii) Ensuring corrective action is taken on the Social Audit findings.
(iii) Ensuring that appropriate action is taken against any individual or group who has tried to deviate or misuse the commodities and sabotage the Scheme.

11. Integration with Food security allowance rules and Supplementary Nutrition Rules

(1) The systems and mechanisms established as per the rules shall also be construed and extended to the implementation of Food Security allowance Rules, 2015 and Supplementary Nutrition Rules notified by the Government of India, subject to the provisions in the respective rules.

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CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES DEPARTMENT,
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Schedule-A

List of places where Documents shall be kept Open for inspection

[See Rule 7 (3) (b)]

Sl. No	Level at which Records related to Targeted Public Distribution System be maintained	Concerned Office	Concerned Officer
(1)	(2)	(3)	(4)
1.	State Level Records	At Commissioner of Civil Supplies Office	Director of Civil Supplies
2.	District Level Records	At District Supply Officer's Office	District Supply Officer's Officer
3.	Mandal Level Records	At Tehsil Office/ Urban local body Office	Tahsildar/ ASO
4.	Village Level Records	At Gram Panchyat's Office	Village Development Officer/ Village Panchayat Officer

Schedule –B

State Food Commission

(See –Rule 8)

Sl. No.	Designation	Eligibility
1	Chairperson	All India Services (**or)** any other civil services of the Union or State (**or)**
2	Five other Members	holding a civil post under the Union or State having knowledge and experience in matters relating to : food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field; (**or)** of eminence in public life with wide knowledge and experience in agriculture, law, human rights, social service, management, nutrition, health, food policy, public administration; (**or)** Proven record of work relating to the improvement of the food and nutrition rights of the poor.
3	Member-Secretary	an officer of the State Government not below the rank of Joint Secretary.

Preferences : 1) At least two women, whether Chairperson, Member or Member-Secretary:

2) One person belonging to the Scheduled Castes and one person belonging to the Scheduled Tribes, whether Chairperson, Member or Member-Secretary.

3) One member belonging to the Backward classes

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